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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/808,610	03/14/2001	Robin E. Wright	56495US1A002	2868

7590

10/09/2002

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EXAMINER

CHANG, VICTOR S

ART UNIT

PAPER NUMBER

1771

8

DATE MAILED: 10/09/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No. 09/808,610	Applicant(s) WRIGHT, ROBIN E.	
	Examiner Victor S Chang	Art Unit 1771	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONEO (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 10 September 2002.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-35 is/are pending in the application.
- 4a) Of the above claim(s) 1-18 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 19-35 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.  
     If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
     a) ☐ All    b) ☐ Some \*    c) ☐ None of:  
         1. ☐ Certified copies of the priority documents have been received.  
         2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
         3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
     \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).  
     a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                  | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____  |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)         | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ | 6) <input type="checkbox"/> Other: _____                                    |

### **DETAILED ACTION**

1. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.
2. Rejections not maintained are withdrawn.

### ***Election/Restrictions***

3. This application contains claims 1-18 drawn to an invention non-elected with traverse in Paper No. 5. A complete reply to the final rejection must include cancellation of non-elected claims or other appropriate action (37 CFR 1.144) See MPEP § 821.01.

### ***Response to Remarks***

4. Claims 19-35 are rejected under 35 U.S.C. 103(a) as being unpatentable over JP SHO 50-10353 in view of JP 60027628 A (Derwent Abstract), substantially for the reasons set forth in section 6 of Paper No. 5, together with the following additional observations.

The Examiner disagrees with Applicant's Response arguing that at no point JP '628 disclose the specific combination of acrylate oligomer and polyether acrylate oligomer (Response, page 2, 2<sup>nd</sup> paragraph). The Examiner reiterates that JP '628 teaches a photo-curable adhesive of monomer and/or oligomer type, and contains a photoinitiator such as benzophenone, etc. JP '628 discloses that suitable photo-curable acrylate monomers include ethyl(metha)acrylate, glycidyl(metha)acrylate, a combination

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of diethyleneglycol diacrylate and ethylenethioglycol, etc., and acrylate oligomers such as epoxyacrylate, urethane acrylate, polyester acrylate, and polyetheracrylate, etc. JP '628 also teaches that the photo-curable adhesive is applied onto the circumference of the glass plates, and followed by curing by UV irradiation (Derwent Abstract). This curing (or setting) process inherently limits polymer chain mobility and renders a crosslinked and detackified polymer surface. The Examiner takes Official notice that this detackifying process is conventional and well known to one of ordinary skill in the art of detackifiable adhesives, as evidenced by the state of the art GB 2221470 (Abstract), which discloses that an adhesive layer of an acrylate ester polymer and a urethane acrylate oligomer is irradiated (by UV or electron beam) to reduce its adhesiveness so that no adhesive remains attached to the substrate after separation (i.e., totally detackified).

Regarding Applicant's argument that nothing in JP '628 teaches or suggests the reaction product of acrylate oligomer and polyether acrylate oligomer is a suitable alternative to the vinyl-based polymer disclosed in JP '353, the Examiner would like to reiterate that JP '353 teaches that the edge face of a roll of pressure-sensitive adhesive is coated with a solution containing a crosslinkable photosensitizer, or a crosslinkable photosensitizer and a photoactive crosslinking agent and a vinyl-based polymer, then exposed to an irradiation to form a cured layer (page 4, paragraph 3). As such, it would have been obvious to one of ordinary skill in the art to substitute the photo-crosslinkable and detackifiable polymer of JP '353 with the solvent-free detackifiable polymer of JP '628, motivated by the desire to obtain an improved solvent-free coating.

With respect to Applicant's argument that to polymerize acrylate resins with UV radiation is of no moment, because nothing in such a disclosure teaches or suggests a detackifying composition (Response, page 2, 3<sup>rd</sup> paragraph), the Examiner would like to point out again that it is old and well known that curing (or setting) a polymer by crosslinking inherently limits the polymer chain mobility and as such detackifies the polymer. As such, it is believed that selecting a photo-curable and detackifiable combination of acrylate oligomers and polyetheracrylate oligomers to replace the photo-crosslinkable vinyl polymers is either expressly or inherently taught by the Concise Encyclopedia of Polymer Science, or an obvious optimization to one of ordinary skill in the art, motivated by the desire to obtain an improved solvent-free coating.

**5. THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Victor S Chang whose telephone number is 703-605-4296. The examiner can normally be reached on 8:30 - 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Terrel H Morris can be reached on 703-308-2414. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9310 for regular communications and 703-872-9311 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-0661.

VSC  
October 2, 2002

DANIEL ZIRKER  
PRIMARY EXAMINER  
GROUP 1300  
1700

*Daniel Zinker*